

**ST. GEORGE CITY COUNCIL MINUTES
WORK & REGULAR MEETINGS
MARCH 4, 2021 4:00 P.M. & 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Michele Randall
Councilmember Jimmie Hughes
Councilmember Bryan Smethurst
Councilmember Gregg McArthur
Councilmember Dannielle Larkin
Councilmember Vardell Curtis
City Manager Adam Lenhard
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

OPENING:

Mayor Randall called the meeting to order and welcomed all in attendance. The invocation was offered by Reverend Alex Wilkie and The Pledge of Allegiance to the Flag was led by Councilmember Smethurst.

DISCUSSION REGARDING PUBLIC ASSET MANAGEMENT IN RELATION TO THE REDEVELOPMENT OF THE CITY-OWNED PROPERTY AT THE INTERSECTOIN OF 100 WEST AND ST. GEORGE BOULEVARD:

Economic Development and Housing Director Shirlayne Quayle welcomed Shaleane Gee with Zions Bank. Ms. Gee provided a PowerPoint presentation covering the following topics: Definitions/Scope; Public real assets = largest wealth segment in the world; How do we unlock this wealth in Utah?; Priorities; and Public transparency and knowledge exchange.

Ms. Quayle presented a PowerPoint presentation covering the following topics: Aerial map of the City-owned property at the intersection of 100 West and St. George Boulevard; and Assess objectives for the redevelopment of the 100 W St. George Blvd project.

The Council discussed the objectives – 1) Is generating new revenue the primary priority for the project? and 2) Is accommodating the needs of and otherwise achieving positive outcomes for the community the primary priority for the project? The consensus of the Council is that they would like to generate new revenue, but more importantly, to accommodate the needs of the community and to create a comfort level for people wanting to visit the downtown area.

After being asked by Mayor Randall, Ms. Quayle outlined the lease for the car dealerships on one of the properties.

A discussion took place regarding what types of product they would like to see in this area and to what scale. The Council commented they would like to make sure there is adequate parking.

City Manager Adam Lenhard noted item #11 has been removed from the agenda due to a procedural issue. Additionally, since item #13 is related to #8, it will move forward so they are heard together.

COMMENTS FROM THE PUBLIC:

Mayor Randall outlined the rules for commenting.

Resident Doreen Gertsch addressed the Council regarding the need for another community pool for the high school teams as well as kids in general. She has met with City staff as well as representative from the School District and Dixie State University.

Resident Lee Scott commented about the handling of the recent City Council vacancy.

Administrative Services Director Trevor Coombs introduced the City's new Purchasing Manager, Cornthey McRae.

CONSENT CALENDAR:

- a. Consider approval to award bid to Feller Enterprises, LLC for the Fort Pierce Sewer Main Replacement Reach 5 Project.**
- b. Consider approval of a lease agreement between the City of St. George and Tech Ridge, LLC, for the City to lease hangar space for large equipment storage.**
- c. Consider approval of a new hangar lease with Flyboyz LLC on Airport hangar lot #57E.**
- d. Consider approval of a new hangar lease with Marvel Hangar, LLC on the Airport Lot #53A.**
- e. Consider approval of a new hangar lease with Marvel Hangar, LLC on the Airport Lot #53C.**
- f. Consider approval of a new hangar lease with Marvel Hangar, LLC on the Airport Lot #53E.**
- g. Consider approval of a property transfer and trail realignment for the Bloomington Country Club driving range.**
- h. Consider approval of the minutes from the meeting held on January 14, 2021.**

MOTION: A motion was made by Councilmember Hughes to approve the consent calendar.

SECOND: The motion was seconded by Councilmember Larkin.

VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye

Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of conditional use permit to operate a vacation rental out of a designated landmark site to be known as the JJ Milne home on approximately 0.40 acres located at 163 South Main. Case No. 2021-CUP-003

Councilmember Larkin recused herself from this item.

Planner Genna Goodwin presented the request for a conditional use permit to operate a vacation rental out of a designated landmark site to be known as the JJ Milne home on approximately 0.40 acres located at 163 South Main, He provided a PowerPoint presentation covering the following topics: Site location; Site photos; and CUP review criteria.

MOTION: A motion was made by Councilmember Hughes to approve the conditional use permit to operate a short rental out of a designated landmark site to be known as the JJ Milne home.

SECOND: The motion was seconded by Councilmember Smethurst.

VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

ZONE CHANGE/ORIDINANCE:

Consider approval of an ordinance changing the zone from R-1-10 (Single Family Residential 10,000 sq. ft. lot sizes) to PD-R (Planned Development Residential) on approximately 52.9 acres; PD-C (Planned Development Commercial) on approximately 39.00 acres; R-1-7 (Single Family Residential 7,000 sq. ft. lot sizes) on approximately 36.38 acres; and OS (Open Space) on approximately 17.72 acres for a total of approximately 146 acres generally located north of Southern Parkway, east of River Road, south of the White Dome Nature Conservancy, and west of the existing White Sands and Sage Canyon subdivisions to be known as Southern Hills - West. Case No. 2021-ZC-014

Planner Genna Goodwin presented the request to change the zone from R-1-10 to PD-R on approximately 52.9 acres; PD-C on approximately 39.00 acres; R-1-7 on approximately 36.38 acres; and OS on approximately 17.72 acres for a total of approximately 146 acres generally located north of Southern Parkway, east of River Road, south of the White Dome Nature Conservancy, and west of the existing White

Sands and Sage Canyon subdivisions to be known as Southern Hills – West. She provided a PowerPoint presentation covering the following topics: General plan map; Overall project area; Proposal; R-1-7 – Areas 1, 5, and 7; PD-R – Areas 2, 3, 4, and 6; Area 2 – White Dome Townhomes; Area 3 – White Trails 1-3; Area 4 – White Cliffs Townhomes; Area 6 – White Trails 4-6; PD-R Initial – Areas 8 and 9; PD-C Initial – Areas 10 and 11; and Proposal.

City Manager Adam Lenhard explained a few months ago, the Council asked the developer to do additional planning. He asked the Council if this proposal meets their expectations to be able to make a decision.

Councilmember Larkin commented that she appreciates what they have done.

Councilmember McArthur commented the Open Space seems and noted that he likes the detached garage product. One concern he has is with the detached homes; it seems that these may not age as well as other areas. He thought maybe more of a mix of products would be better

MOTION: A motion was made by Councilmember Larkin to approve the ordinance changing the zone from R-1-10 to PD-R on approximately 52.9 acres; PD-C on approximately 39.00 acres; R-1-7 on approximately 36.38 acres; and OS on approximately 17.72 acres for a total of approximately 146 acres generally located north of the Southern Parkway, east of River Road, south of the White Dome Nature Conservancy, and west of the existing White Sands and Sage Canyon subdivisions to be known as Southern Hills – West, including the use list as recommended by the Planning Commission.

SECOND: The motion was seconded by Councilmember Smethurst.

VOTE: Mayor Randall called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND PD-R ZONE/ORDINANCE:

Consider approval of an ordinance amending the Stone Cliff Planned Development Residential (PD-R) zone to be known as the Stone Cliff Clubhouse on approximately 2.83 acres located at 2241 East Cobalt Drive. Case No: 2021-ZCA-013.

Planner Mike Hadley presented the request to amend the Stone Cliff PD-R zone to be known as the Stone Cliff Clubhouse on approximately 2.83 acres located at 2241 East Cobalt Drive. He provided a PowerPoint presentation covering the following topics: Vicinity map; General plan map; Conceptual landscape plan; Renderings; and Materials board.

MOTION: A motion was made by Councilmember Smethurst to approve the ordinance amending the Stone Cliff Planned Development Residential (PD-R) zone to be known as the Stone Cliff Clubhouse on approximately 2.83 acres located at 2241 East Cobalt Drive.

SECOND: The motion was seconded by Councilmember Curtis.

VOTE: Mayor Randall called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND PD ZONE/ORDINANCE:

Consider approval of an ordinance amending the Stone Cliff Planned Development (PD) zone for a landscape maintenance facility to be known as Stone Cliff Landscape Maintenance Facility on approximately .345 acres located at 2593 East Marble Drive. Case No: 2021-ZC-012.

Planner Mike Hadley presented the request to amend the Stone Cliff Planned Development zone for a landscape maintenance facility to be known as Stone Cliff Landscape Maintenance Facility on approximately .345 acres located at 2593 East Marble Drive. He provided a PowerPoint presentation covering the following topics: Vicinity map; General plan map; Site plan; Renderings; and Materials board.

Councilmember Curtis noted the Planning Commission asked if chemicals would be on site. They were assured that anything on site would be consumed quickly.

MOTION: A motion was made by Councilmember Curtis to approve the ordinance amending the Stone Cliff PD zone for a landscape maintenance facility to be known as Stone Cliff Landscape Maintenance Facility on approximately .345 acres located at 2593 East Marble Drive.

SECOND: The motion was seconded by Councilmember McArthur.

VOTE: Mayor Randall called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND PD-C ZONE/ORDINANCE:

Consider approval of an ordinance amending the Fields at Mall Drive Planned Development Commercial (PD-C) zone for a car wash to be known as Quick Quack Washington Fields on approximately .96 acres located at 2780 East and Mall Drive. Case No. 2021-ZCA-011.

Planner Mike Hadley presented the request to amend the Fields at Mall Drive PD-C zone for a car wash to be known as Quick Quack Washington Fields on approximately .96 acres located at 2780 East and Mall Drive. He provided a PowerPoint presentation covering the following topics: Vicinity map; Zoning map; Site plan; and Photos of Quick Quack carwashes.

After being asked by Councilmember Larkin, Councilmember Curtis noted the Planning Commission did discuss the exterior colors. The applicant informed them that the colors are their signature.

Councilmember Larkin commented that there are other Quick Quack car washes in northern Utah that do not have such bold colors. She would like this one to have more rock and the colors be muted.

Applicant Joseph Ernest explained the colors were discussed at the Planning Commission meeting. The green and yellow colors are their prototypical marketing strategy and they rely on these colors for a membership model. Some of the Planning Commission members liked the proposed colors. There have been months of leg work to get the elevations approved by Suburban Land Reserve (SLR) and Lin's. If the colors are amended, they would have to go back to these entities for approval.

City Attorney Shawn Guzman mentioned the applicant will be required to install a recirculating system. He noted the City has very good relationship with Associated Foods and SLR. He does not believe changing the colors would be a problem with these entities if that is what the Council chooses to do.

City Manager Adam Lenhard noted the City's expectation is that the recirculation system is installed and that it is maintained in perpetuity as long as this facility is in operation. The City will exercise its right to perform inspections to make sure the system is being used as designed. With water resources as they are, these are the types of things the Council needs to consider.

Councilmember McArthur asked staff about the zoning – he wondered if a car wash permitted use in zones or does it require a conditional use permit.

Mr. Hadley explained car washes are permitted use in the current zoning for this particular project.

Community Development Director John Willis explained this is a PD so the Council is looking at uses for this particular location.

Councilmember McArthur asked if this is something that the Council may want to look at making car washes a conditional use.

Mr. Willis noted there are several ways to handle these; as a conditional use permit or allowing them in PD zones only. The PD option may be a better option as each aspect of the PD is reviewed by the Council.

City Attorney Shawn Guzman agreed with Mr. Willis regarding the PD option since state law narrowed down conditional use permits.

Mayor Randall asked about issues with the sewer hookup.

Assistant Public Works Director Wes Jenkins explained that in talking with Wastewater staff, the applicant will be required to pump the affluent from the car wash, gravity feed the line out of the building and drain to the east. There were some discussions regarding them extending underneath the drainage channel; however, staff is not in support of that. Staff feels it would be better to pump the water from the car wash into a manhole and bringing the sewage from the restrooms and tying into the manhole coming in from Mall Drive.

Councilmember Larkin commented that their business in Highland, Utah looks much better than what is being proposed.

City Attorney Shawn Guzman requested that if the Council makes a motion, it include color, recirculation system has to be in place, used, and continually maintained, tying the sewer into the manhole to the east, and not crossing Mall Drive.

MOTION: A motion was made by Councilmember Larkin to approve the ordinance amending the Fields at Mall Drive PD-C zone for a car wash to be known as Quick Quack Washington Fields on approximately .96 acres with the thee (3) conditions mentioned by City Attorney Shawn Guzman and that the colors be muted with stacked rock, more southwest style that was used on the Quick Quack Car Wash in Highland, Utah.

SECOND: The motion was seconded by Councilmember Smethurst.

City Attorney Shawn Guzman asked for clarification. He asked Councilmember Larkin if she wanted these to be conditions, that they have to have the colors and rock shown on their Highland location. She replied yes.

Mr. Ernest suggested the motion state that the sewer connection complies with City staff.

City Attorney Shawn Guzman explained the requirement came from City staff. The applicant's engineer will need to connect the sewer line as the motion states. After

Mr. Ernest commented that he does not believe this will be allowed per the CCR's, Mr. Guzman stated that he is not aware of any CCR's that would prohibit the connection.

VOTE: Mayor Randall called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND PD-R ZONE/ORDINANCE:

Consider approval of an ordinance amending the Desert Color Planned Development Residential (PD-R) zone to allow a new neighborhood development to be known as Sage Haven (Pod 6) Plat 'A' on approximately 69.72 acres generally located east of I-15, south of Southern Parkway, and south of Auburn Hills. Case No. 2021-ZCA-015

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Desert Color Sage Haven Plat A, a 270-lot residential subdivision located in the Desert Color development at Southern Spine Road & Carnelian Parkway.

Planner Dan Boles presented the request to amend the Desert Color PD-R zone to allow a new neighborhood development to be known as Sage Haven (Pod 6) Plat 'A' on approximately 69.72 acres generally located east of I-15, south of Southern Parkway, and south of Auburn Hills, as well as the preliminary plat for Desert Color Sage Haven Plat A, a 270-lot residential subdivision located in the Desert Color development at Southern Spine Road & Carnelian Parkway. He provided a PowerPoint presentation covering the following topics: Zoning map; General plan map; Sage Haven plats A&B; Site plan; Multi-family layout; Preliminary plat; Elevations; and Materials.

MOTION: A motion was made by Councilmember Curtis to approve the ordinance amending the Desert Color PD-R zone to allow a new neighborhood development to be known as Sage Haven (Pod 6) Plat 'A' on approximately 69.72 acres.

SECOND: The motion was seconded by Councilmember Smethurst.

VOTE: Mayor Randall called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

MOTION: A motion was made by Councilmember McArthur to approve the preliminary plat for Desert Color Sage Haven Plat A.
SECOND: The motion was seconded by Councilmember Larkin.
VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND PD-C ZONE/ORDINANCE:

Consider approval of an ordinance amending the Boulder Creek Crossing Planned Development Commercial (PD-C) zone to allow construction of a bank to be known as Altabank St. George on approximately 1.51 acres located on the northwest corner of 1450 South and River Road. Case No. 2020-ZCA-053

Planner Dan Boles presented the request to amend the Boulder Creek Crossing PD-C zone to allow construction of a bank to be known as Altabank St. George on approximately 1.51 acres located on the northwest corner of 1450 South and River Road. He provided a PowerPoint presentation covering the following topics: Zoning map; General plan map; Proposed site plan; Materials board; Landscape plan; Elevations; Renderings; and Use list. Additional right of way may be required for 1450 South; therefore, he requested the motion include the condition that the applicant work with staff on the necessary right-of-way adjacent to 1450 South. The Planning Commission recommended approval.

MOTION: A motion was made by Councilmember Smethurst to approve the ordinance amending the Boulder Creek Crossing Planned Development Commercial (PD-C) zone to allow construction of a bank to be known as Altabank St. George on approximately 1.51 acres located on the northwest corner of 1450 South and River Road with the condition that the applicant work with staff on the right-of-way.
SECOND: The motion was seconded by Councilmember Larkin.
VOTE: Mayor Randall called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Crimson Estates, an 8-lot residential subdivision located on the south side of 2450 South at approximately 3430 East.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Crimson Estates, an 8-lot residential subdivision located on the south side of 2450 South at approximately 3430 East. He showed and outlined the preliminary plat.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Crimson Estates.

SECOND: The motion was seconded by Councilmember Smethurst.

VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Rustic Estates, a 6-lot residential subdivision located at 1905 East Rustic Drive.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Rustic Estates, a 6-lot residential subdivision located at 1905 East Rustic Drive. He showed and outlined the preliminary plat. The Planning Commission had concerns with the U-shaped lot; however, staff feels it is usable space.

Councilmember Larkin commented that she met on site with the developer as she was concerned with the configuration; however, after the explanation, she is okay with the request.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Rustic Estates.

SECOND: The motion was seconded by Councilmember Larkin.

VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND AND ENACT CITY CODE/ORDINANCE:

Consider approval of an ordinance amending and enacting Title 9, Chapter 1 Section 4 Buildings And Construction, Board Of Appeals; Title 9, Chapter 4, Section 2, Appeals; Title 9, Chapter 5, Section 4, Appeals; Title 9, Chapter 6, Section 3, Appeals; Title 9, Chapter 7, Section 2, Appeals; Title 9, Chapter 8, Section 2, Appeals; Title 9, Chapter 9, Section 3, Appeals; Title 9, Chapter 10, Section 2, Appeals; And Title 1, Chapter 15, Section 1 C. Authority.

City Attorney Shawn Guzman explained currently appeals from decisions made by the building official are required to be heard by a Board of Appeals. These appeals occur very rarely and it is difficult to keep the board members current. This change would add these appeals to the list of appeals to be heard by the administrative hearing officer established in Title 1 Chapter 15.

MOTION: A motion was made by Councilmember Hughes to approve the ordinance as outlined by City Attorney Shawn Guzman

SECOND: The motion was seconded by Councilmember Larkin.

VOTE: Mayor Randall called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

DISSOLVE THE ST. GEORGE ART MUSEUM ADVISORY BOARD/RESOLUTION:

Consider approval of a resolution dissolving the St. George Art Museum Advisory Board.

City Attorney Shawn Guzman explained the City created the St. George Art Museum Advisory Board on December 19, 1996 to support and assist with the promotion and operation of the art museum. The art museum has been operating for approximately 25 years and the City believes it no longer needs an advisory board for the museum. Its role is duplicative of the Arts Commission and therefore the Advisory Board should be dissolved.

MOTION: A motion was made by Councilmember Larkin to approve the resolution dissolving the St. George Art Museum Advisory Board.

SECOND: The motion was seconded by Councilmember Smethurst.

VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER:

Councilmember Larkin mentioned the Soup N Bowl, the St. George Market, and the Dove Center Gala. She and Councilmember Smethurst attended the Youth City Council meeting yesterday; they appointed a new mayor and city manager. They have requested to be included on events that the Council attends.

Mayor Randall commented that the snake statue moved to Snake Hollow Bike Park and that Millennial Dawn has been moved near the opera house. She also commented the Chamber of Commerce Essence Awards – Councilmember Larkin is getting an award as is Choli Ence with the Police Department.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Hughes to adjourn to a closed session to discuss a property sale.

SECOND: The motion was seconded by Councilmember Smethurst.

VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

ADJOURN:

MOTION: A motion was made by Councilmember Smethurst to adjourn.

SECOND: The motion was seconded by Councilmember McArthur.

VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.